12-04-06

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IN THE STATES PATENT AND TRADEMARK OFFICE

Inventor

Michael Koch

U. S. Patent No.

6,939,124

Serial No.

10/780,538

Issued

September 6, 2005

For

LOCKING UNIT OF A THREE-PLATE . . .

December 1, 2006

Certificate

DEC 0 6 2006

of Correction

Certificate of Correction Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR A CERTIFICATE OF CORRECTION

SIR:

We request a Certificate of Correction to add the Foreign Application Priority Data, which was omitted. Please add August 17, 2001 EP 01119903.1

Attached, please find a copy of our Declaration, Filing Receipt, and Office Action Summary where the examiner acknowledged claim for the Foreign Priority.

This was due to an error made by the USPTO ,

Any fee due as a result of this paper may be charged to Deposit account No. 50-1290.

Respectfully submitte

Hassan A. Shakir Reg. No. 53,922

Customer No.: 026304

KATTEN MUCHIN ROSENMAN LLP 575 Madison Avenue, 15th Floor New York, NY 10022-2585

(Tel) 212-940-8800

Docket No.: GRAT 20.905

Filed by Express Mail 118675 WS (Reccipt No. Express Mail 118675 WS

pursuant to 3/ 7/18, 1.10

DEC 0 7 2006

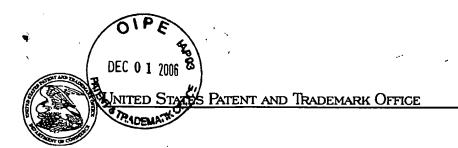
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UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION	
PATENT NO : 6,939,124 DATED : September 6, 2005 INVENTOR(S) : Michael Koch It is certified that error appears in the above-identified patent and that said Letters Patent	t
are hereby corrected as shown below: The following is added on the front page of the patent in the left column:	
(30) Foreign Application Priority Data August 17, 2001 (EP)	

PATENT NO. _____6,939,124 MAILING ADDRESS OF SENDER: Katten Muchin Rosenman LLP No. of additional copies 575 Madison Avenue New York, New York 10022-2585

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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FILING OR 37,1 APPL NO. ART UNIT **FIL FEE REC'D** ATTY.DOCKET NO DRAWINGS TOT CLMS IND CLMS (c) DATE 10/780.538 02/17/2004 1722 900 GRAT 20.905 (100717-00070 10

026304

KATTEN MUCHIN ZAVIS ROSENMAN **575 MADISON AVENUE**

NEW YORK, NY 10022-2585

8

CONFIRMATION NO. 7477

UPDATED FILING RECEIPT

OC000000013062304*

Date Mailed: 06/24/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael Koch, Freiburg, GERMANY; Kai Grundmann, Denzlingen, GERMANY;

Domestic Priority data as claimed by applicant

This application is a CON of PCT/EP02/09102 08/14/2002

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 01119903.1 08/17/2001

If Required, Foreign Filing License Granted: 05/08/2004

Projected Publication Date: 09/30/2004

Non-Publication Request: No

Early Publication Request: No

Title

Locking unit of a three-plate injection-molding machine

Preliminary Class

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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PTO/SB/01 (08-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Paperwork Reduction Act of 1995, no persons are required to res **DECLARATION FOR UTILITY OR**

DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration Submitted With Initia! Filing

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

pond to a collection of information	unless it contains a valid OMB control number.
Attorney Docket Number	GRAT 20.905 (100717-00070)
First Named Inventor	KOCH, Michael
СОМ	PLETE IF KNOWN
Application Number	10/780,538
Filing Date	02/17/2004
Art Unit	
Examiner Name	

I hereby declare that:								
Each inventor's residence, ma	ailing address, ε	and citizenship are as stated t	pelow next to their name					
I believe the inventor(s) name which a patent is sought on the	d below to be the invention ent	ne original and first inventor(s itled:	s) of the subject matter w	hich is claimed and for				
LOCKING UNIT ON A THREE-PLATE INJECTION MOULDING MACHINE								
the specification of which		(Title of the Invention)	1					
] is attached hereto								
OR								
was filed on (MM/DD/Y	YYY) 02/	17/2004 as Uni	ited States Application N	lumber or PCT International				
Application Number 10/7	80,538	and was amended on (MM/I	DD/YYYY)	(if applicable).				
I hereby state that I have revie amended by any amendment :			ve identified specificatio	n, including the claims, as				
I acknowledge the duty to discontinuation-in-part application and the national or PCT intern	ns, material info	ormation which became avail	lable between the filing	37 CFR 1.56, including for date of the prior application				
I hereby claim foreign priority inventor's or plant breeder's ri country other than the United application for patent, inventor before that of the application o	ights certificate(States of Ameri 's or plant bree	(s), or 365(a) of any PCT into ica, listed below and have alseder's rights certificate(s), or a	ernational application whose identified below, by ch	hich designated at least one hecking the box, any foreign				
Prior Foreign Application	i i	Foreign Filing Date	Priority	Certified Copy Attached?				
Number(s)	Country	(MM/DD/YYYY) AUGUST 17, 2001	Not Claimed	Yes No				
01119903.1	EP	AUGUST 17, 2001						
		. ·						
Additional foreign applicat	ion numbers ar	e listed on a supplemental pri	iority data sheet PTO/SE	3/02B attached hereto.				

[Page 1 of 2]
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/01 (08-03)

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DECLARATION — Utility or Design Patent Application

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Inventor's Signature									Date	/ .
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Residence: City	State			Coun	trv			Citizer	nship	
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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,538		02/17/2004	Michael Koch	GRAT 20.905 (100717-00070	7477
26304	7590	10/14/2004		EXAM	INER
575 MADISO NEW YORK	ON AVE		MAN	MACKEY, ART UNIT	PAPER NUMBER
	,			1722	
006				DATE MAILED: 10/14/2004	1

Please find below and/or attached an Office communication concerning this application or proceeding.

`t :	0/2			
	P OF M	Application No.	Applicant(s)	
	Office Action Summary	10/780,538	KOCH ET AL.	
	onice Action Summary % \$	Examiner	Art Unit	,
	The MAILING DATE of this committee in the	James Mackey	1722	
Period fo	• •	•		
THE I - Exter after - If the - If NO - Failu Any r	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. Insions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a reply period for reply is specified above, the maximum statutory period were to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be y within the statutory minimum of thirty (30) o will apply and will expire SIX (6) MONTHS fm	timely filed days will be considered timely. om the mailing date of this communication.	
Status				
2a)	Responsive to communication(s) filed on <u>08 Ju</u> This action is FINAL . 2b) This Since this application is in condition for allower closed in accordance with the practice under E	action is non-final.		
Dispositi	on of Claims			
5)⊠ 6)⊠ 7)□_	Claim(s) <u>1-10</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdraw Claim(s) <u>1-4,7 and 8</u> is/are allowed. Claim(s) <u>5,6,9 and 10</u> is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restriction and/or	vn from consideration.		
Applicati	on Papers	•		
10)🖾 -	The specification is objected to by the Examine The drawing(s) filed on <u>17 February 2004</u> is/are Applicant may not request that any objection to the Replacement drawing sheet(s) including the correction of the oath or declaration is objected to by the Ex	e: a) ☐ accepted or b) ☒ object drawing(s) be held in abeyance. So on is required if the drawing(s) is c	ee 37 CFR 1.85(a). objected to. See 37 CFR 1.121(d).	
Priority u	nder 35 U.S.C. § 119			
12)⊠ / a)[Acknowledgment is made of a claim for foreign All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau ee the attached detailed Office action for a list of	s have been received. s have been received in Applica ity documents have been received (PCT Rule 17.2(a)).	ntion No ved in this National Stage	
Attachment	(s)			
1) Notice 2) Notice 3) Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) No(s)/Mail Date 2-17-04.	4) Interview Summar Paper No(s)/Mail I 5) Notice of Informal 6) Other:		

Art Unit: 1722

- 1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
- 2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the bellows (claim 2), the encasing element being closed on all sides with a bottom drain and air inlet (claim 6), the encasing element being braced on the tie bars (claim 7), the intermittently operating lubricating pump (claim 9) and the continuously operating lubricating pump (claim 10) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement

Application/Control Number: 10/780,538

Art Unit: 1722

Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

- 3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the intermittently operating lubricating pump cooperating with knuckle joints (claim 9), the lubrication intervals being defined such that the number of working cycles per lubrication process does not exceed 2000 (claim 9), and the continuously operating lubricating pump cooperating with knuckle joints (claim 10) have not been described in the specification.
- 4. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 5. Claims 5, 6, 9 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 5, line 3, "the lower opening" lacks proper antecedent basis in the claim.

In claim 6, line 3, "there is provided an encasing element" is indefinite as to how this relates to the encasing element recited in independent claim 1.

In claim 9, line 4, "the knuckle joints" and lines 5-6, "the lubrication intervals" each lacks proper antecedent basis in the claim.

In claim 10, line 4, "the knuckle joints" lacks proper antecedent basis in the claim.

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6. Claims 1-4, 7 and 8 are allowed.

Claims 5, 6, 9 and 10 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The prior art of record does not teach or fairly suggest a closing unit including a togglelever arrangement between the end plate and the movable mold-clamping plate, with an encasing element of variable length extending between the end plate and the movable mold-clamping plate, as claimed in claim 1.

The closest prior art of record is considered to be Allard et al. (U.S. Patent 3,508,300), which discloses a closing unit of a three-plate injection molding machine including a toggle-lever arrangement between an end plate and a movable mold-clamping plate, and an encasing element 98, 100, 106, 108, 110, 112 disposed between the end plate and the movable mold-clamping plate; however, Allard et al. do not teach or fairly suggest providing the encasing element of variable length as claimed. It is also known in the art to provide a telescoping encasing housing between the end plate and the stationary die plate (see, e.g., Japan 6-55578, housing elements 6 and 7), but such an encasing housing telescopes only to open the encasing housing such that the encasing housing is not considered to be of variable length, and furthermore the prior art does not teach or fairly suggest providing such an encasing housing extending between the end plate and the movable mold-clamping plate as claimed.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Application/Control Number: 10/780,538

Art Unit: 1722

Page 5

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Mackey whose telephone number is 571-272-1135. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker can be reached on 571-272-1151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Mackey
Primary Examiner
Art Unit 1722

10/8/04

jpm October 8, 2004

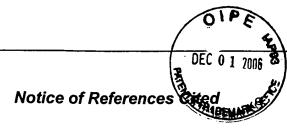
Please type a plus sign $(+) \rightarrow +$ Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE 1449/PTO U.S. Department of Commerce Application No. Trademark Office Filing Date INFORMATION DISCLOSURE First Named Inventor: M. KOCH STATEMENT BY APPLICANT **Group Art Unit** 1722 Sheet 1 of 1 **Examiner Name** MACKEY Attorney Docket No.: GRAT 20.905 TENT DOCUMENTS U.S. Patent Examiner Cite Name of Patentee or Applicant Date of Pages, Columns Lines **Initials** No.1 Document of Cited Document Publication of Where Relevant if known² Cited Passages or Relevant Document Figures Appear MM-DD-YYYY 5,297,953 WANG 03/29/1994 3,508,300 ALLARD, et al. 04/28/1970 FOREIGN DOCUMENTS Examine Cite No. Foreign Patent Country Name of Patentee or Date of Pages, Columns Lines r Initials Document Applicant of Cited Publication of Where Relevant Office³ Number⁴ Document Cited Passages or Relevant Kind Code⁵ Document Figures Appear (if known) MM-DD-YYYY 0 931 974 EP FANUC LTD. 07/28/1999 64-038215 JP FANUC LTD. 02/08/1989 64-009714 Ъ FANUC LTD. 01/13/1989

		Non Patent Literature Documents	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, country, where published, source.	Applicant check her if English language translation attached
	<u> </u>		
Examiner Signature		James Mac Date Considered 10/8/04	<u> </u>

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. See attached Kinds of U.S. Patent Documents. Enter Office that Issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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Application/Control No. 10/780,538

Applicant(s)/Patent Under Reexamination KOCH ET AL.

Examiner

James Mackey

Art Unit 1722

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Datė MM-YYYY	Name	Classification
	Α	US-3,728,057	04-1973	Grundmann et al.	425/151
	В.	US-3,997,286	12-1976	Gabrys, Kenneth F.	425/405.1
	C	US-4,382,763	05-1983	Hehl, Karl	425/153
	D	US-4,921,419	05-1990	Brussel, Richard	425/450.1
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FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	. Z	6-55578	03-1994	Japan	•••	
	0					
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).) Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.